

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

CLERK'S OFFICE U.S. DIST. COURT AT ROANOKE, VA FILED	SEP 25 2007
JOHN F. CORCORAN, CLERK BY: <i>S. Stinson</i> DEPUTY CLERK	

BENJAMIN JERMAINE TUCKER, )  
Petitioner, ) Civil Action No. 7:07CV00224  
 )  
 )  
 )  
v. ) FINAL ORDER  
 )  
 )  
 )  
NOTTAWAY CORRECTIONAL )  
CENTER, VIRGINIA DEPT. OF )  
CORRECTIONS, ) By: Hon. Glen E. Conrad  
Respondent. ) United States District Judge

In accordance with the Memorandum Opinion entered this day, it is hereby

**ADJUDGED and ORDERED**

that respondent's motion to dismiss shall be and hereby is **GRANTED** and Tucker's petition for a  
writ of habeas corpus, pursuant to 28 U.S.C. § 2254, shall be and hereby is **DISMISSED**. This case  
shall be **STRICKEN** from the active docket of the court.

The Clerk of the Court is directed to send a certified copy of this Order and accompanying  
Memorandum Opinion to petitioner.

ENTER: This 25<sup>th</sup> day of September, 2007.

*Glen E. Conrad*  
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United States District Judge